



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of :  
Sewing, Andreas : Group Art Unit: 1616  
Serial No.: 09/885,287 : Examiner: Gollamudi S  
Filed: June 21, 2006 :  
For: A PROCESS FOR THE COATING FOR METALLIC IMPLANT MATERIALS

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

**Timing and Fees**

- ☐ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
  - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
  - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☒ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- 08/31/2006 MAHMED1 00000006 09885287
- ☒ a final rejection under 37 C.F.R. 1.11192 FC:1806 180.00 OP
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR

☐ a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR

☒ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).

☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:

☐ a final action under 37 C.F.R. § 1.113;

☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);  
OR

☐ a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

☐ the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

☐ Each item of information contained in this information disclosure statement was a first cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).

- ☐ Copies of materials listed were cited in an international search report dated \_\_\_\_\_.
- ☐ Not required by 37 CFR § 1.98 (US patent references).
- ☒ Copies of the materials listed are attached.

#### Non-English Language References

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☒ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
- X = document of particular relevance when it is taken alone  
 Y = document of particular relevance when it is combined with another such document  
 A = document defining the general state of the art  
 O = non-written disclosure  
 P = intercalated document  
 T = document cited to understand the theory or principle underlying the invention  
 E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date  
 D = cited in the application  
 L = cited for another reason  
 & = publication of member of same patent family
- ☒ Translation of other relevant information on foreign search report

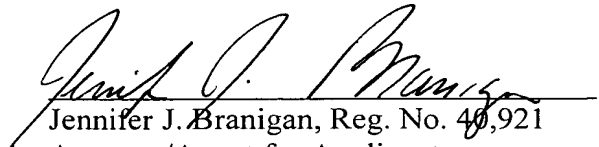
#### Other Information

##### Payment of Fees Due (If Any):

- ☒ A check for \$180.00 covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$\_\_\_\_\_ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

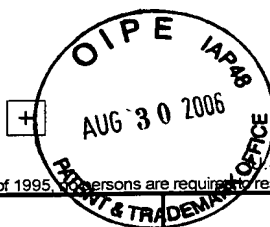
  
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Attorney Docket No. MAIKO-0033

Date: August 30, 2006

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PTO/SB/08A (08-00)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/885287
Filing Date	06/21/2001
First Named Inventor	Andreas SEWING et al.
Group Art Unit	1616
Examiner Name	Gollamudi
Attorney Docket Number	MAIKO 33

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,508,267		Czernuszka et al.	4/16/1996	
	1	5,068,122		Kokubo et al.	11/26/1991	
	2	4,713,076		Draenert	12/15/1987	
	3	6,384,197		Weis et al.	5/7/2002	
	4	6,384,195		Weis et al.	5/7/2002	

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		EP	0 389 713			10/3/1990		1
		DE	3414924			10/31/1985		2
		DE	198 12 714			9/30/1999		3
		DE	198 12 713			9/30/1999		4
		DE	198 11 900			9/23/1999	Abstract	
		DE	34 09 372			9/19/1985	Abstract	
		DE	196 43 5555			4/30/1998		5
		WO	9213984			8/30/1992		6

Examiner  
Signature

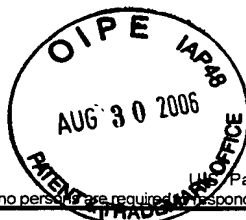
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

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Application Number	09/885,287
Filing Date	06/21/01
First Named Inventor	Andreas SEWING
Group Art Unit	1616
Examiner Name	Gollamudi
Attorney Docket Number	MAIKO 33

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		European International Search Report issued 12-5-01 in EP 01 11 2667.	
		Office Communication dated 3-14-01	
		L. Floquet et al., "Le comportement biologique in vitro d'un alliage TiNb30 traité avec hydroxyapatite..." Rev. Stomatol. Chir. Maxillofac., (1997), 98, Sup. 1, pgs. 47-49.	
		M.J. Filiaggi, et al., "Post-plasma-spraying heat treatment of the HA coating/Ti-6Al-4V implant system", Journal of Biomedical Materials Res., (1993), Vol. 27, pgs. 191-198.	
		K.A. Gross, "In Vitro Changes of Hydroxyapatite Coatings", The International Journal of Oral & Maxillofacial Implants, pgs. 589-597	
		M. Shirkhanzadeh, "Direct formation of nanophase hydroxyapatite on cathodically polarized electrodes", Journal of Materials Science: Materials in Medicine 9, (1998), pgs. 67-72.	
		C.Y. Yang, "Bond degradation at the plasma-sprayed HA coating/Ti-6Al-4V alloy interface: an in vitro study", Journal of Materials Science: Materials in Medicine 6, (1995), pgs. 258-265.	
		P. Schaffner, et al., "Inducted tissue integration of bone implants by coating with bone selective RGD-peptides", Journal of Materials Science: Materials in Medicine, 10, (1999), pgs 837-839	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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